

REMARKS

Claims 1-14 and 16-21 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-13, drawn to a method of nucleic acid transfer having the recited steps (a) and (b) in independent claim 1; and

Group II, claims 14, 16-21, drawn to a nucleic acid transfer agent comprising a solid metal salt or a high concentration of a metal salt as an ingredient; and a kit comprising the same. It is noted that 21 is a use claim without any method step, and therefore it is treated as a composition claim.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1-13.

The Examiner has further required an election of the species of nucleic acid should Group I be elected. **Applicants elect siRNA as the species for initial examination. Claims 1-3 and 5-13 read upon the elected species.** This election is made with the understanding that, should the elected species be found free of the prior art, the examination of additional species will continue with an eye toward determining patentability of a generic claim.

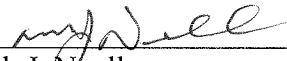
Favorable action on the merits of the application is requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell, Ph.D., Registration No. 36,623, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: April 13, 2009

Respectfully submitted,

By 
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